



---

## CITY COUNCIL WORK SESSION ITEM

CITY OF BILLINGS, MONTANA

Monday, November 21, 2011

---

TITLE: Proposed Amendments to the City/County Unified Zoning Regulations  
DEPARTMENT: Planning and Community Services  
PRESENTED BY: Nicole Cromwell, AICP, Zoning Coordinator, Planner II

---

**PROBLEM/ISSUE STATEMENT:** The 2011 and 2009 State Legislatures passed a number of laws that have an impact on municipal and county zoning regulations. The zoning regulations for both the city and county are unified under Chapter 27, BMCC, and need to be amended to be consistent with these new State laws. In addition, there are several amendments the Planning Division is proposing that respond to “housekeeping” of current regulations to ensure consistency of administration. The Council also has requested amendments to the code that relate to compatibility of commercial uses adjacent to residential uses, resolving issues related to detached accessory buildings, and other miscellaneous amendments. For ease of discussion, the Planning Division has separated the amendments in to three broad categories:

- Council initiatives/requests and housekeeping changes
- Legislative changes
- Neighborhood Manners and discretionary

Staff will bring these forward to the Council for review at its November 21 Work Session and for Council to officially initiate the amendments at its business meeting on December 12. The Planning Division will also brief the Board of County Commissioners on the proposed amendments and ask them to also take official action to initiate the amendments. The Planning Division will schedule the amendments for public notice and hearings sequentially during the winter and spring of 2012.

### **COUNCIL INITIATIVES/REQUESTS AND HOUSEKEEPING CHANGES**

- Vertical siding on accessory structures in residential zoning districts. The Council initiated this amendment and we have draft language prepared for public hearings. The amendment will allow vertical siding on detached accessory structures in cases where the dwelling also has vertical siding.
- Correctional facilities. The Council initiated these amendments to better regulate where public and private correctional facilities are located in the community. Three ordinances have been drafted and reviewed by the City Attorney. One would amend the code for commercial districts to specifically prohibit any new public correctional facilities in the South 27<sup>th</sup> Street Corridor or the Controlled Industrial district. Another ordinance would amend the code to specify where private correctional facilities could be located with special review approval. The code currently allows private correctional facilities by special review approval in

Controlled Industrial, Public and the S 27<sup>th</sup> Street Corridor. The amendment would not allow these in the South 27<sup>th</sup> Street Corridor. The third amendment would eliminate the code reference to “rehabilitative centers” and the use table for residential zones that allow this use by special review approval only. This use, as currently described, is covered by other use definitions and is adequately covered in the use table under those defined terms.

“Rehabilitative centers” is an artifact of the 1972 zoning code that is out of date and duplicative of newer terms and uses.

- Livestock and poultry. The Planning Division would like to clarify section 27-607 to add the words “and fowl” to the first sentence. Currently, the code must be consulted in three different sections to determine whether “fowl” are not allowed within the city limits. If the City Council chooses to amend the City Code to allow “fowl” within the city limits, then this amendment can be modified to reflect this initiative.
- Area Requirements in Residential zones. The Planning Division would like to clarify section 27-308 to ensure understanding that lot area requirements for multiple units refers to attached units in a single structure and not separate units on a single lot. In addition, the footnote that indicates the special review requirement for three-plex through 10-plex structures in the Residential 6,000 zoning district will be moved to the Residential 6,000 column of the table.
- Reference to fees – code artifact. The Planning Division would like to eliminate the language concerning fees referred to in Section 27-1704. Fees are set by resolution of the City Council and the Board of County Commissioners. This is an artifact of the code and should be deleted.
- Separation of detached accessory structures for property within the city or county. The Planning Division would like to amend Section 27-310(i) of the code to create separate subsections related to detached accessory structures in residential zones based on whether they are within the city limits or within the County zoning jurisdiction. The current code is convoluted and not easy to interpret or administer. Separate subsections based on jurisdiction will clarify this section.
- North and South Shiloh Corridor housekeeping. The Planning Division would like to amend Section 27-1400 to remove drafting errors and correct the signage requirements for non-residential uses in residential zones – as they might apply to all types of assembly uses.
- Non-zoning – Nuisance Weeds. The Code Enforcement Division would like to amend section 25-300 to clarify the manner in which nuisance vegetation needs to be cut or removed. The current language is not specific enough to notify the public that “cutting” means by any available mechanical method.

## **LEGISLATIVE CHANGES**

- Municipal and County zoning. The 2009 and 2011 Montana legislatures made some minor adjustments to the MCA authorizing local zoning regulations – HB181(2011), HB460 (2011) and HB486 (2009). The amendments focused on the review criteria for zone changes, protest provisions related to owners of unit ownership property (condominiums and townhomes), notice provisions and enforcement within the County zoning jurisdiction. The Planning Division has prepared amendments responsive to these legislative changes. There will be separate ordinances for each jurisdiction since some sections will only apply outside the city limits. The County notice provisions for zone changes will likely have an impact on application timelines and staff resources to provide the additional notice. The Planning

Division also is recommending deleting some definitions to avoid confusion on unit ownership.

### **NEIGHBORHOOD MANNERS AND DISCRETIONARY AMENDMENTS**

- Fence height in front yard setback. Maximum fence height in the required front setback is now 3 feet. Most fence material suppliers do not carry this height but most carry a 4-foot fence material. Fence height in the front is primarily to promote public health and safety since a tall fence in front of a structure could prevent emergency access or block vision of the address numbers on the building. Allowing a 4-foot front yard fence will not have an effect on public health or safety and would allow property owners to provide a more secure front yard area for pets and children.
- RV parking standards. The Code Enforcement Division handles complaints on RV setbacks and these have been steadily increasing in the past 4 years. In 2008, there were 426 RV complaints for the entire year and in 2011 through October we have received 620 complaints. We average about 3 to 4 complaints every work day. The current code requires a minimum 20 foot front setback for RVs parked on a residential property. Most residential driveways cannot accommodate this required setback. RVs may be parked on the street if they remain attached to the towing vehicle or if they are self-powered. In order to accommodate the increasing demand to park RVs for some period of time in residential zones, the Planning Division is recommending Section 27-601(a) be amended to allow an 8-foot front setback for RVs in residential zones. The current code will still require an RV to be parked or stored in a back yard if there is access to the back yard. An 8-foot front setback will allow many RV owners to park off the street and the reduced setback will not affect public health or safety. This amendment will not negate any current or future private subdivision covenants and restrictions. The city does not enforce these private covenants and restriction.
- Update Clear Vision for driveways and alleys. In 2009, the City Council amended the clear vision standards in the zoning code to better identify safe and predictable clear vision areas for street intersections based on the type of street and type of use. One of these new clear vision standards for driveways and alley intersections with streets requires a 5-foot deep “tail” to extend along the property frontage for a considerable distance – the least distance is 70 feet and it increases up to 110 feet if the driveway or alley enters an arterial street. Many residential properties are not even 70 feet wide, so these 5-foot “tails” preclude any fencing or landscaping over 30 inches tall for the entire frontage. The Planning Division does recognize the engineering and traffic safety principals behind the 5-foot “tails”, however we believe the clear vision area provides enough pedestrian and traffic safety without the need to have a 5-foot clear zone across every residential property. Accommodation of the 5-foot “tails” in fence building has caused significant confusion for property owners, and fence company employees, and also creates an area that is difficult to maintain and could be prone to weeds.
- Neighborhood Manners. The City Council has expressed an interest in supporting in-fill development provided such development can be compatible with existing neighborhoods. Several instances of incompatible uses adjacent to residential zones have come forward in the past year. The Planning Division has proposed an amendment to Section 27-612 to add a subsection with requirements for commercial or industrial type uses adjacent to or within 50 feet of a residential zone. The proposed amendment includes requirements for lighting, building setbacks, noise generation, loading docks, solid waste disposal, and signage.

# PLANNING DIVISION

Planning and Community Services Department

510 North Broadway

4<sup>th</sup> Floor

Billings, MT 59102

406-657-8246

[www.ci.billings.mt.us/planning](http://www.ci.billings.mt.us/planning)

---

## October 2011 Report

**To:** Board of County Commissioners, City Administrator, Mayor and City Council, Planning Board, Zoning Boards and Commissions, Planning and Community Services Department Director

**From:** Wyeth Friday, AICP, Planning Division Manager

**Date:** November 9, 2011

---

Below is a list of items that the Planning Division has been working on for the past month.

### **Meeting Management and Support**

Planning staff supported the regular meetings of the following Boards and Commissions in October 2011. Each entity met once unless otherwise noted:

- Yellowstone County Board of Planning
- Historic Preservation Board

### **Long-Range Planning Projects:**

**East Billings Master Plan Implementation** –The draft Form Based Code (FBC) for the EBURD is expected to be completed in November, 2011 and will move forward towards adoption in early 2012. The Steering Committee for development of the FBC met on October 27<sup>th</sup> to review street types and discuss other aspects of the draft FBC. An Exposition Gateway Master Plan and a Hospitality Corridor Plan are all being coordinated with the City, County, Chamber, and BSEDA. BSEDA has prepared a draft RFP for the Exposition Gateway Master Plan and has identified some grant funding sources. Planning staff has included partial funding of these projects in its 2011 and draft 2012 Unified Planning Work Program based on the availability of other funding and staff resources. All of these projects are expected to be underway in 2012. The 2-way street conversion project (2<sup>nd</sup> and 3<sup>rd</sup> Avenues North) is complete. Please visit [www.eburd.com](http://www.eburd.com) for a description of this and other EBURD projects.

**South Billings Boulevard Urban Renewal District Master Plan** – AECOM Technical Services is the lead consultant on a multi-disciplinary team to develop a master plan for the South Billings Boulevard Urban Renewal District (SBBURD) area. A third public hearing was conducted in September to gage public opinion on identified planning options and projects for the four subdistricts in the area. Approximately 45 people attended the meeting and voted on recommendations using electronic keypad polling. The next meeting is scheduled for November 17 at 5:30 at the Billings Hotel and Convention Center. Draft recommendations will

be presented and the public will have an opportunity to select and prioritize the proposed projects, policies, and programs. This master plan is funded through the SBBURD tax increment funds. This project is expected to be completed in early 2012. Please visit [www.southbillings.com/](http://www.southbillings.com/) for more information.

**Infill Policy Development** – Based on the successful infill workshop hosted by the City of Billings in April, an ad hoc committee has formed to draft an infill policy for the City. The fourth meeting of this committee was held on October 5. Discussion at the fourth meeting centered on refinement of a draft of a policy, a schedule to bring a draft to the City Council, and scheduling of a public meeting on November 10 to review the draft document. A draft policy is expected to reach the Council for initial consideration at a Work Session on November 21<sup>st</sup> and to a regular Council meeting on December 12.

**Sustainable Communities Challenge Planning Grant** – After a yearlong planning session with more than 20 community partners, the Planning Division supported BSEDA in preparing a \$3 million grant application to fund a Sustainable Community Fund for the EBURD. City Council committed to using \$10,000 of EBURD tax increment funds for three years as financial match for this grant. This grant fund, if awarded, will be available to non-profit organizations and sub-recipients may use the money for land acquisition and related projects in the EBURD. Projects must align with the EBURD Master Plan and the original grant requirements. The grant application was submitted on September 16 and a response is expected in about 60-90 days. More information on the grant application is available on the EBURD website at [www.eburd.com](http://www.eburd.com).

### **Grant Funded Projects**

- FEMA Grant for West End Flood Mitigation/County Pre-Disaster Mitigation Plan Update (PDM Plan) – Staff is administering the grant and staff along with a Steering Committee is working with the consultant team. The PDM Plan Update and the West Billings component are under final review by FEMA before starting the local adoption process. This is two year project started in fall 2009 and has had minor delays during the document review process. It is not scheduled to be completed by January 2012. Local adoption by the Billings City Council, Board of County Commissioners, Town of Broadview, and City of Laurel of the PDM Plan Update and the West Billings component are expected in December 2011/January 2012.
- A DNRC Renewable Resource Grant is also being administered by staff in conjunction with FEMA grant referenced above and will follow the same two year schedule.
- Division staff continues to help manage the \$1 million Energy Efficiency and Conservation Block Grant on behalf of the other City Department grant recipients. The grant is partially funding a new hybrid bookmobile; a large portion of the Swords Park Trail, Phase II, training for Building Division inspectors to enforce the 2009 International Energy Conservation Code (IECC), and the technical audit for the City's Performance Contract project to make multiple City facilities more energy efficient. The Performance Contract was closed out in September and the Swords Park is expected to be completed by November 2011. The hybrid bookmobile is expected to be purchased soon. The Department of Energy conducted an on-site review in October to assess the compliance status of the projects. The reviewers were satisfied with the level of compliance and impressed with the projects that have or are in the process of being completed.

### **Community Events/Training**

The Division hosted several webinar workshops for staff and the public in October. The webinars are advertised via email and on the Division's website and anyone is welcome to attend. The webinar topics in October included: Community Communications 201; and Menu for a Healthy Food System.

### **Special Projects/Assignments**

- Staff met on October 12 with Bill Anderson from the Montana Department of Transportation Civil Rights Bureau for a Title VI audit of the Division's Federal Transportation Funding Program. The audit

is conducted every three years and focuses on how the Division provides accessibility to people with disabilities and addresses non-discrimination policies when managing federal funds. The Division was found to be in compliance and will receive an audit review summary soon.

- Staff met with A.T. Stoddard of LSC Transportation Consultants to review the scope for the feasibility study for a downtown circulator bus or trolley. Staff is working with MET Transit, MSU-Billings, the Downtown Partnership, Billings Clinic and St. Vincent Healthcare and other stakeholders to determine the feasibility of a downtown transit circulator bus system to move people from MSU-Billings through the medical corridor to downtown and back. The Billings Metropolitan Planning Organization recently received local, State and Federal approval in its annual Unified Planning Work Program to conduct a feasibility study using Federal and local funds. This study is expected to be completed by June 2012.
- Staff continues to work internally and meet with City IT staff to work on initial conversion of the Planning Division's permits into the new Innoprise project management software system. The permit conversion process is expected to take place by the end of 2011.
- Based on the 2009 Legislative changes, and now changes in the 2011 Legislature in relation to land use regulations, staff has completed amendments to the City and County subdivision regulations through actions by both the City Council and Board of County Commissioners.
- Based on the 2009 Legislative changes, and now changes in the 2011 Legislature in relation to land use regulations, staff has begun drafting changes to the City and County zoning regulations. Staff started this effort in September and plans to provide draft updates to the Board of County Commissioners and City Council in early December.
- Serving on Healthy by Design Advisory Committee through Riverstone Health to participate in various grant programs to review implementation of the healthy community strategies in the 2008 Growth Policy, and serving on the Billings Area Food Policy Council with the other community stakeholders on issues relating to healthy food policy and access in the community.
- Serving on Traffic Control Board
- Serving on Billings Preservation Society
- Serving on Steering Committee for East Billings Environmental Assessment Program
- Attended Monthly Homebuilders Association Meeting with City staff
- Facilitated South Billings Boulevard Urban Renewal District Association monthly meeting
- Facilitated Billings Industrial Revitalization District monthly meeting

**See Staff Project Priorities and Application Review Activity in FY2012 Below**

## Planning Division Staff Project Priorities 2011 - 2012

Staff		
Project	Priority	Completion Date
EBURD FBC Adoption and Implementation*	1	12/1/11
Vacant Housing Ordinance	1	11/1/11
Complete Street Policy Adoption**	1	9/1/11
Business License Ordinance**	1	8/1/11
EECBG Administration	1	2/1/12
FEMA/DNRC PDM West End Flood Grants* **	1	12/1/11
Infill Work Policy Development* **	1	12/1/11
SBBURD Master Plan/TIFD Implementation*	1	2/1/12
Bike Way and Trail Plan Update*	1	4/30/11
Community Outreach and Planning Mill Levy* **	1	Ongoing
City/County Subdivision Reg. Legislative Updates*	2	12/1/11
EBURD Mini-Master Plan -Exposition Gateway	2	2/1/12
Hospitality Corridor Study (Hwy 87 River Bridge - Airport Rd.)	2	12/1/11
Downtown Electronic Walking Tour	2	9/1/11
Feasibility Study - Mystic Park to Riverfront Park Trail	2	6/1/12
Zoning Text Legislative Amendments*	2	12/1/11
Correctional Facilities Zoning Amendment Memo* **	2	6/1/11
Update Records Retention/Review Process*	2	10/1/11
Highway 3/Airport Road Corridor Study* **	2	10/12/11
Historic Pres. Ordinance Update*	2	6/1/11
Scan/Archive City/County Historical Zoning Maps	2	10/1/11
CTEP	3	Ongoing
Innoprise/ HTE2 Conversion Preparation*	3	2/1/12
Web Page Maintenance City/County Webpage	3	Ongoing
Wind Turbine Regulation	3	12/1/11

### Worked on in October

#### Completed

\* Aligns with 2011 Planning Work Plan

\*\* Aligns with Council/Administration/BOCC Initiatives

#### Priority Index

1 = Next 3 Months

2 = Next 6 Months

3 = Next 12 Months

		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	YTD Totals
<b>Pre-Application Meetings</b>														
	City	0	2	1	1	0	0	0	0	0	0	0	0	4
	County	1	2	1	2	0	0	0	0	0	0	0	0	6
	<b>Total</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>
<b>Preliminary Plats</b>														
	City	2	0	2	0	0	0	0	0	0	0	0	0	4
	County	0	1	0	1	0	0	0	0	0	0	0	0	2
	<b>Total</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>
<b>Final Plats</b>														
	City	1	2	0	1	0	0	0	0	0	0	0	0	4
	County	0	0	0	1	0	0	0	0	0	0	0	0	1
	<b>Total</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>Exempt Plats</b>														
	City	2	0	0	4	0	0	0	0	0	0	0	0	6
	County	0	0	4	6	0	0	0	0	0	0	0	0	10
	<b>Total</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16</b>
<b>Neighborhood Meetings</b>														
	City	0	0	0	1	0	0	0	0	0	0	0	0	1
	County	0	0	0	0	0	0	0	0	0	0	0	0	0
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Zone Changes</b>														
	City	1	1	0	0	0	0	0	0	0	0	0	0	2
	County	0	0	0	0	0	0	0	0	0	0	0	0	0
	<b>Total</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Special Reviews</b>														
	City	2	0	1	0	0	0	0	0	0	0	0	0	3
	County	0	0	0	0	0	0	0	0	0	0	0	0	0

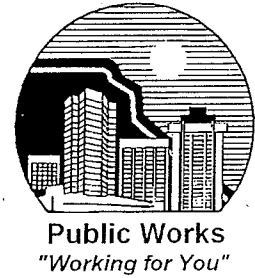


	Total	2	0	1	0	0	0	0	0	0	0	0	0	0	3
<b>Variances</b>															
	City	2	3	3	2	0	0	0	0	0	0	0	0	0	10
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	2	3	3	2	0	0	0	0	0	0	0	0	0	10
<b>Medical Corridor</b>		0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Zoning Clarifications</b>															
	City	6	8	6	9	0	0	0	0	0	0	0	0	0	29
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	6	8	6	9	0	0	0	0	0	0	0	0	0	29
<b>Zoning Compliance Permits (YC)</b>		0	2	6	2	0		0	0	0	0				10
<b>Fence Permits</b>															
	City	15	15	17	5	0	0	0	0	0	0	0	0	0	52
	County	0	1	0	0	0	0	0	0	0	0	0	0	0	1
	Total	15	16	17	5	0	0	0	0	0	0	0	0	0	53
<b>Sign Permits</b>															
	City	10	24	15	22	0	0	0	0	0	0	0	0	0	71
	County	2	0	1	0	0	0	0	0	0	0	0	0	0	3
	Total	12	24	16	22	0	0	0	0	0	0	0	0	0	74
<b>Temp. Sign Permits</b>															
	City	1	1	3	0	0	0	0	0	0	0	0	0	0	5
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	1	1	3	0	0	0	0	0	0	0	0	0	0	5
<b>Temp. Use Permits</b>															
	City	0	4	1	0	0	0	0	0	0	0	0	0	0	5
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	0	4	1	0	0	0	0	0	0	0	0	0	0	5
<b>Building Permit Reviews</b>		55	60	58	63	0	0	0	0	0	0	0	0	0	236



# City of Billings

Public Works Administration  
Public Works Department  
2224 Montana Avenue – 2<sup>nd</sup> Floor  
Billings, MT 59101  
Office (406) 657-8230  
Fax (406) 237-6291



## MEMORANDUM

To: Christina Volek, City Administrator  
From: David Mumford, Public Works Director  
Date: November 8, 2011

RECEIVED

NOV - 9 2011

City Administrator

**SUBJECT: MONTHLY REPORT – PUBLIC WORKS DEPARTMENT**

The following is the Public Works Department's Monthly Report for October 2011.

### Engineering Division

- ▶ *W.O. 04-12 Alkali Creek Road Slope Stability:* Maintenance on the trees damaged by May flooding to be completed this fall. Currently working on scope and costs for other slope and channel repairs to be done over the winter.
- ▶ *W.O. 04-26 Zone 4 Reservoir:* Phase 2 contractor is continuing work on pump station. Site work is complete and tank disinfection and leak test will be done as soon as SCADA communication is established.
- ▶ *W.O. 05-15 Howard Heights:* Phase II complete. The walk thru is scheduled for November. *Dickie Park:* Work has started, however additional topsoil and seeding will need to be completed next spring.
- ▶ *W.O. 08-22 WWTP Alternative Disinfection:* This project is substantially complete. A punch list items is complete and currently working on a project close-out.
- ▶ *W.O. 08-25 Zone3 Reservoir:* The land must still be acquired. A final appraisal has been received, the land owner has been contacted, and a purchase offer was made. Continuing negotiations with the landowner.
- ▶ *W.O. 08-27 Landfill Improvements:* Substantial completion has been achieved. Planting of shrubs and reseeded began the last week of October. Final completion is anticipated in early November.

- ▶ *W.O. 09-11 Rimrock Road, 17<sup>th</sup> to Forsythia:* Knife River is completing the sidewalk, ADA ramps, and miscellaneous items. Street lighting continues to be installed. Weather permitting, work to be completed in mid November.
- ▶ *W.O. 09-12 Inner Belt Loop:* The Contract Amendment is being reviewed and will be completed in the next couple of weeks. Meeting with property owners on-site to look at the right-of-way staking.
- ▶ *W.O. 09-14 Wicks and St. Andrews Signal:* This project is complete and operational. The contractor still needs to install the luminary.
- ▶ *W.O. 09-15 Grand Ave Zimmerman to Shiloh:* The preliminary design is complete. Currently, evaluating options within the design and finalizing design plans.
- ▶ *W.O. 09-25 Downtown Signals:* All intersections are fully operational. The remaining work includes removal of old street lights and some punch list items. Northwestern Energy is currently removing street lights.
- ▶ *W.O. 09-28 WTP Backup Power, Phase 2:* This project bid on October 25<sup>th</sup>. The award is scheduled for November 28, 2011. Construction will begin in the spring.
- ▶ *W.O. 10-05 Two Way Conversion – East Downtown:* The majority of the construction is complete. Striping of symbols is on-going.
- ▶ *W.O. 10-13 Safe Routes to School Phase II:* Starting the internal process to prioritize projects city wide.
- ▶ *W.O. 10-16 32<sup>nd</sup> St. West Two Way Left Turn Lane:* Construction is underway.
- ▶ *W.O. 10-30 32<sup>nd</sup> at Broadwater Right Turn Lane:* Construction work to start in the spring of 2012.
- ▶ *W.O. 10-31 Central & 29<sup>th</sup> Traffic Signal:* Construction is underway.
- ▶ *W.O. 11-01 Water Rehabilitation:* All work, including pipe laying and paving on both project schedules, is substantially complete.
- ▶ *W.O. 11-02 Miscellaneous/Developer Related:* Project is approximately 95% complete. Estimated substantial completion by December 2011.
- ▶ *W.O. 11-04 2011 ADA Ramps:* This project is ongoing. Work is primarily on 9<sup>th</sup> Ave North.
- ▶ *W.O. 11-05 Chapple Area Fire Flow Improvements:* Pipe laying is complete in all work zones except Powderhorn and Snowcrest. This section of pipe laying to be complete by November 4th. Paving and final clean-up in all work zones to be completed as weather permits by mid-November.

- ▶ *W.O. 11-09 Miscellaneous Storm Drain:* Three projects will be completed this fall; 6<sup>th</sup> Avenue North near 13<sup>th</sup>, 9<sup>th</sup> and Avenue B, and Kathy Lane. Additional areas are under design to be completed in the spring. Part of Kathy Lane is done with some grading to be completed. 6<sup>th</sup> Ave N. near 7<sup>th</sup> St N. has started and will be completed on November 9<sup>th</sup>. The Ave B is projected to start in November.
- ▶ *W.O. 11-10 25<sup>th</sup> Street Pedestrian Bridge:* Morrison-Maierle, Inc. has been selected for design with the contract underway.
- ▶ *W.O. 11-11 WTF Rapid Mixer System Improvements:* HDR is working on the preliminary study.
- ▶ *W.O. 11-12 Household Hazardous Waste Facility:* The consultant has been selected. Currently, doing contract negotiations.
- ▶ *W.O. 11-13 Mountain View Boulevard:* Riverside Sand and Gravel has repaired the areas that failed during run off events this year and the road has been reopened.
- ▶ *W.O. 12-01 Water and Sewer Rehab:* DOWL-HKM was selected for Schedule I and Sanderson Stewart was selected for Schedule II Engineering Services. The DOWL-HKM contract was approved on September 12<sup>th</sup> and the Sanderson Stewart contract was approved on October 24<sup>th</sup>. Summer 2012 construction is planned.
- ▶ *W.O. 12-05 Five-Mile Lift Station Replacement:* Morrison-Maierle was selected and the small Preliminary Design Study contract is currently in routing. His report is due by year-end with fall 2012 construction scheduled.
- ▶ *SID 1369 Moore Lane:* The contractor is finishing paving the parking lots to match the new concrete. The project is to be substantially complete the first week of November.
- ▶ *MDT Projects Underway:*
  - *6<sup>th</sup> Ave to Bench Connection:* The bridge construction is continuing with the majority of the road along Metra Arena paved. The water vault is being reconstructed. The construction of the slip ramp is underway along with the tie-in to Main Street.
- ▶ *Miscellaneous Waste Water Treatment Plant Projects:*
  - Electrical Master Plan – Met with HDR and the final plan should be out this month.
  - West Mechanical Building MCC Panel Replacement Project- Working on shop drawings.
  - Clarifier Infrastructure Improvements- The sandblasting and painting will be completed next spring/summer.
  - Meter and Valve Replacement-on hold
  - Door in AFT building- The door and loading dock have been constructed. This project is complete.
  - Digester Cleaning- Preparing plans and specs to bid in the spring 2012.

▶ *Miscellaneous Water Treatment Plant Projects:*

- Scada Evaluation – This project is being scaled back to install the "backbone" of the system. Meeting with BLM on the Four Dances property. Brown and Caldwell are finishing the specs; should have them first part of November.
- Electrical Master Plan – Final expected soon.
- High Service Pump Station H2-1 Pump Replacement- Pump has been installed. The *contactor* will be installed in November/December.
- Low Service Pump Station 1 Upgrade- COP is installing the 60" saddle and the bypass for Intake Channel No. 1, which should be complete the first week of November. COP has begun saw cutting the west retaining wall and should be completed in the next week.
- Clearwell Contact Time Improvements- Construction on Clearwell No. 2 is complete. Clearwell No. 1 was drained and upon inspection of the roof, some structural members have rusted. It is recommended to replace members in poor condition. Morrison-Maierle is under contract for roof design and has submitted a Preliminary Engineering Report that has been reviewed. COP Construction has been issued a stop work order until roof repairs are complete. Morrison-Maierle has started design of a steel roof.
- High Service Pump Station 2011 Transfer Pump Replacement-HDR has started the design. The earliest pump delivery is mid-July 2012, which pushes construction into the fall of 2012.

**Administration Division**

- ▶ Public Works Director spoke on Nutrient Standards at the Montana League of Cities and Towns Conference on October 5<sup>th</sup> and 6<sup>th</sup>.
- ▶ Public Works Director spoke at the Billings Realtor seminar.
- ▶ Public Works staff met with Exxon and Conoco to discuss wastewater service.
- ▶ Magic City Magazine interviewed the Public Works Director regarding snow removal.
- ▶ Public Works Director spoke at the Billings Engineers' luncheon.
- ▶ Public Works Director was interviewed by an MSU student regarding the impact of 9/11 on the City of Billings.
- ▶ Finance Manager continues to work through issues with financial software conversion.
- ▶ Finalized Public Works assessments for Fiscal Year 2012.
- ▶ Began looking into new procedures for solid waste billing.

## **Solid Waste Division**

- ▶ The Solid Waste Division started 30 new residential accounts and 24 commercial days were added.
- ▶ The green barrel program for the month of October diverted 406 tons of yard waste, which amounts to 4.6% of all trash that the City Of Billings collected. It is 15.8% of our residential barrel trucks that was diverted.
- ▶ We have sent out our last letters to deliver Green barrels to the residents of Billings. We will continue delivering the Green barrels to the residents until November 26, which is also the last day for our pick-ups for the Green barrels. We will start again in March and we are on track to have the vast majority of the city on Green barrel service by late summer of next year.
- ▶ The Billings Regional Landfill received 20,541 tons of refuse. There were 18,797 tons that were land filled, 789 tons for compost, 48 tons for metal and white goods, 15 tons of asbestos, and 892 tons of soil used as cover material.
- ▶ We are currently flattening out the top of the east side of the landfill to give us room for windrowing compost piles. This will speed up the composting process while giving us a better product.
- ▶ We did a tour for 28 Rocky Mountain College environmental students on November 2<sup>nd</sup>. They viewed the landfill and had several good questions. Tours are a good way to educate people about the landfill and recycling.
- ▶ There was an E-Waste event held on October 1<sup>st</sup> with over 13,000 pounds of waste collected with the majority being old televisions.

## **Commercial & Meters Division**

- ▶ Continued working on the meter replacement program.
- ▶ Located curb valves on Moore Lane in preparation of a street improvement project.
- ▶ Three meter shop employees attended the Large Meter Testing School.
- ▶ Two employees attended Back Flow Prevention training.

### Distribution & Collection Division

- ▶ Completed water main replacement project on North 12<sup>th</sup> Street.
- ▶ Repaired pumps at Ironwood and Lloyd Mangrum Lift Stations.
- ▶ Repaired leak at Water Plant in the new High Service building.
- ▶ Jet cleaned 275,545 feet of sanitary sewer main line.
- ▶ Design submitted to the State for the Delphinium Drive sewer pipe burst project.

### Street-Traffic Division

- ▶ Continuing our sweeping efforts throughout the City.
- ▶ Replaced some street lights and poles that were knocked down.
- ▶ Repairing the utility cuts and many other digouts.
- ▶ Completed blowing out the sprinkler systems in the city right of ways.
- ▶ Painted curbs, crosswalks, and centerline as the temperatures allowed.
- ▶ Graded several gravel streets in the Heights.

Statistics			
Poles straightened	6	Yards of sweepings	1,124
Feet of 2" pipe		Gallons of water	29,400
Feet of Telspar	88	Broom hours (sweepers)	259.3
Street light complaints	31	Animals picked up	9
Signs fabricated	10	Intakes cleaned	327
Signs replaced	24	Feet of pipe jetted	
Trees trimmed for signs		Feet of pipe tv'd	
Misc (welds,paint,clean,hdw)	93	Line locates	932
Gallons of yellow center line paint	169	Number of alleys graded	21
Gallons of white	6	Phone calls received	590
Gallons of curb paint	50	Number of times water pumped	
Lbs of beads	1,050	Number of streets graded	55
Total feet of white	1,179	Yards of material (road mix)	284
Total feet of curb paint	4,155	Linear feet of white	
Total feet of yellow center line	34,318	Gallons of dust suppressant	
Gallons of white (crosswalk)	89	Tons of material used (AC)	609.23
Manholes repaired		Gallons of d-ice used (State)	
Number of digouts & cave-ins		Gallons of d-ice used (City)	
External signal requests	17	Gallons of dust suppressant	

## Environmental Affairs

- ▶ Conducted construction site inspections including the Bench Blvd project.
- ▶ Conducted F.O.G. (fats, oils and grease) restaurant inspections.
- ▶ Updated Permitted Industrial User database.
- ▶ Submitted September Dechlorination DMR.
- ▶ Reviewed and coordinated with Exxon on disposal of clean-up waste water (Silver Tip release).
- ▶ Updating Pretreatment Program.

## Water Treatment Division

### PRODUCTION SUMMARY:

- ▶ **Total Plant Production (million gallons (MG)):** 555.15 MG
- ▶ **Plant Production - Year to Date (MG)** 6837.2 MG
- ▶ **Average Daily Production (MG/day):** 17.91 MGD
- ▶ **Maximum Daily Production (MG/day):** 29.32 MGD
- ▶ Production during October returned to about average for the period after the high month of September. The Yellowstone River remained well above median flow for most of the month after dropping to median level during the first few days of the month. No operational or maintenance issues were encountered that presented any significant risk to production requirements.
- ▶ Willett Reservoir was removed from service for the winter in early October and drained. The reservoir was cleaned and will remain empty until next summer.
- ▶ Investigations began to determine the source of a leak near Clearwell #2 that was first noticed on October 9<sup>th</sup>. Ultimately, a one inch sample line was found to have a leak and was repaired with significant assistance from Distribution and Collection personnel. Even after the repair water persisted in the vaults in the area. Pumping operations continue occasionally. No chlorine has been found in the water being pumped so we believe that this water is the result of a groundwater mound that built up over a long period due to the sample line leak.
- ▶ Distribution and Collection personnel assisted us with the installation of an 18-inch valve on the filter-to-waste discharge line. During the early stages of reconstruction at Low Service Pump Station #1, this line is being used to route backwash water back to the head of the process. The valve will prevent the backwash water from back-pressuring the filter-to-waste line between the filter building and the new valve. When this portion of the line is pressurized backwash water surfaces through manholes connected to the line.



- ▶ We installed permanent benchmarks around the treatment facility to aid future construction work. The new permanent benchmarks are concrete markers and have been coordinated with the GIS section for good site coverage.
- ▶ Annual preventative maintenance checks and services began to be a maintenance focus in October. These annual services are scheduled when demand drops allowing pumping systems and related equipment to be taken off line and serviced. During the month of October these services were completed at Waldo Pump Station, Christensen Pump Station and High Service Pump H2-3.
- ▶ A facility tour was provided for an Environmental Studies class of 30 students from Rocky Mountain College.
- ▶ The Building Department conducted a final inspection on the new cold storage "pole barn" on October 20<sup>th</sup>. They should issue an occupancy permit in the near future. This facility will be used to store pumps and associated equipment that has been removed from service, but could be reinstalled in an emergency. Additionally, we will store variable frequency drives and other electrical components that have been removed in one upgrade, but have identical units still in service at other locations. These items provide a source of hard to acquire spare parts.
- ▶ Leavens Pump Station has been removed from service for the winter. The station is available in an emergency, but is taken out of service for routine use.
- ▶ An operational check of the fire pump at Fox Pump Station revealed that a new programmable main breaker had incorrect settings such that starting the fire pump tripped the main power to the station. The settings were adjusted and the fire pump system was successfully retested.

#### **Wastewater Treatment Division**

- ▶ Continued working with Environmental Affairs on revisions to Grease/Septage Disposal Rules and Regulations.
- ▶ Conducted two process control meetings with staff.
- ▶ Met with other staff to discuss issues associated with accepting refinery wastewater.
- ▶ Dave Mumford came to the plant and visited with plant staff about upcoming changes to the wastewater plant.
- ▶ Attended a conference call with EPA concerning proposed comments on the final CMOM report submitted last April.

Please let me know if you have questions or would like additional information about any of these items.

DDM:kf

# Change Orders Processed

Department	Project # or Name	Project Description	Change Order Description	Original Contract Amount	Current Change Order	Previous Change Orders	Percent Increase All Change Orders
PWA	WO 04-12	Phase 3 Alkali Creek Rd	Labor and materials to repair and/or replace components that were damaged by the severe storms and flood in May.	1,336,558.00	81,836.34	279,964.71	27.1%
PWA	WO 09-11	Rimrock Road	Sewer Main Plugged; Adjust storm manhole; Materials & labor to repair existing manholes and valve boxes; Delay to conflict on Jennie lane	3,550,131.55	13,410.11	8,076.47	0.6%
PWA	WO 04-26	Zone 4 Reservoir	Provide reinforcing for the Overflow Outlet Structure.	2,676,578.00	9,317.00	155,249.90	6.1%
PWA	WO 04-26	Zone 4 Reservoir	Modify 20 - IN/OUT Pipe and 20 OVFL Pipe to correct misalignment of Phase I and Phase II.	2,468,000.00	(3,850.00)	25,360.00	0.9%
PWA	WO 05-15	Howard Heights Park	Additional landscaping, weed control, level dirt areas outside of pond area for additional park space, find grading in certain areas of the pond area	117,823.80	8,146.00	0.00	6.9%
PWA	WO 11-05	2011 Chapple Area Water Main	City's portion of additional asphalt on Arnold Palmer Drive and Mickey Wright Lane and additional crushed bases course material to stabilize native subgrade on Arnold Palmer Drive.	830,065.00	34,224.55	0.00	4.1%
PWA	WO 10-08	WTP Clearwell Baffle Project	Deletion of Additive Alternative A & B -Disposal Costs for lead paint \$(156,452.00) Additional work to paint Clearwell No.1 \$61,902.13.	936,852.00	(94,549.87)	16,709.16	-8.3%
PWA	WO 10-11	WTP High Service Pump	Deduction for not having to pour a new concrete pad for the pump.	866,900.00	(3,061.00)	18,644.87	1.8%
PWA							#DIV/0!

